

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiffs,**

**vs.**

**WILLIAM T. RADER,**

**Defendant.**

**8:23CR119**

**ORDER**

This matter came before the Court for a status conference by telephone with counsel for the parties, Matt Lierman on behalf of the government and Matthew Munderloh on behalf of defendant, William T. Rader. Mr. Munderloh stated no pretrial motions are anticipated but the government is completing ballistic-related tests, the results of which must be known to determine whether the case will proceed to trial. Mr. Lierman confirmed that tests have been requested and indicated that it would likely take at least 60-days for results. As such, the defendant moved for the rescheduling of the status conference and agreed to the tolling of time under the Speedy Trial Act. The motion was unopposed by the government. For good cause shown, the Court finds the motion should be granted. Accordingly,

**IT IS ORDERED:**

- 1) Defendant's motion for rescheduling of the status conference is granted.
- 2) In accordance with 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 17, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant this motion would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the novelty and complexity of the case. The failure to grant this motion might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.
- 3) A telephonic status conference with counsel will be held before the undersigned magistrate judge at **11:15 a.m. on October 17, 2023**. Counsel for the parties shall use the conferencing instructions provided by the Court at filing number 38.

Dated this 15th day of August, 2023.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge